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A bibliographical note on Ernian lüling 二年律令

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In this paper, the author discusses a few problems to be resolved or, at least, to be recognized when we utilize Ernian lüling as a source for historical research.

There is no proof to know the name and status of the dead who was buried in Tomb 247 in Zhangjiashan, from which Ernian lüling was unearthed. What we know is only the fact that he had been a official, and left his job because of sickness in 194 B.C.. Comparing with other nearby tombs in the size and the buried articles, it is similar with Tomb 10 in Fenghuangshan 鳳凰山. Many scholars believe that this tomb 10 is that of a chief of ward.

Although the principle they followed to arrange the slips is not written clearly, it is easy to understand that each bamboo slip was arranged according to its excavated point and its content. In some cases, slips are placed without considering their excavated points, that makes their restoration incomplete. The author notices a few points of misarrangement.

Ernian lüling is sometimes regarded as a copy of the Han code, but we must not forget that this is only a group of bamboo slips unearthed from a tomb. There is a possibility that this text was not a part of the national code but a personal note on the Han statutes and ordinances which was referred for fulfilling his duties. It is true that some provisions have no relationship with Hubei province, and therefore they could not have been referred by a official there, but we still cannot assure that this is the extract from the Han national code which had become widespread all over the empire.

"Ernian" — second year — is thought to mean the "second year" of the reign of Empress Dowager Lu 呂, i. e. -186 B.C.. There are various provisions enacted in different years in Ernian lüling, but no provision that was enacted after 186 B.C. can be found. Therefore, the author also agrees with this accepted theory, and insists that Ernian lüling is the compilation of the statutes and ordinances valid in 186 B.C., not the code which was enacted in that year.

Law terms in Èrnián lǜlìng 二年律令 (1)

Itaru TOMIYA

In 1980 a lot of bamboo strips were excavated in a Han tomb at Zhangjiashan 張家山 in Chiang Lin 江陵, Hubei 湖北省. They are mostly statutes (*lǜ* 律) and at least one ordinance (*lìng* 令), originally entitled *Èrnián lǜlìng* 二年律令.

Our seminar is carrying out the annotated translation on this statutes and is publishing a part of the production, "Translation and Annotation of *Èrnián lǜlìng* 二年律令 (1)" in this journal Toho gakuho 東方學報 Vol 76.

Under the close relation to it, I give explanations of the law terms and the phrases in *Èrnián lǜlìng* 二年律令 in this paper. Analyzing and investigating them, the principle of Han Law and the concept of crime and punishment in the Han 漢 empire should rise to the surface.

The article consist of five parts: (1) 與○同法 (2) 與○同罪, 與同罪 (3) 以某論之, 坐某爲某 (4) 盜, 賊, 鬪, 戲, 故, 過失, 失 (5) 謀, 欲, 牧

Studies on Walter Benjamin in China

Ryoichi INAMI

This essay is mainly about studies of Walter Benjamin in China. The discussion focuses on the Chinese translation of Benjamin's writings and the interpretation of his critical voices. On the whole, Chinese scholars show deep interest in *The Work of Art in the Age of Its Technological Reproducibility*, because it seems to touch on the essence of artistic activities in the high capitalism. In contrast to this, they show little interest in *Critique of Violence* and *Berlin Childhood around 1900*. "Waking up

from the era of bourgeoisie", written by Zhang Xu-dong who is the first translator of Benjamin's writings, discusses the self-satisfied understanding in the latter half of the 1980 s. The 1989 Tiananmen incident has brought its weakness into sharp relief. After the 1990 s, he says, reading Benjamin's writings will lead the Chinese to thinking about the social and cultural contradiction in contemporary China.

Key words: translation origin criticism allegory memory

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The Xalaj Kingdoms in Afghanistan

Minoru INABA

In the second half of the seventh century A. D., two kingdoms ruled by Turks appeared in Kābul and Zābilistān, the eastern part of present Afghanistan. The origin of these kingdoms, however, have not been clarified satisfactory. Present writer tried to connect these Turks with a Turkish tribe called Xalaj who were reported by the Arab geographers to have lived in the areas around the middle course of Helmand river, that is, the southeastern part of Afghanistan, in the mid tenth century. The newly discovered Bactrian documents from northern Afghanistan have revealed that they had already lived in the northern skirt of Hindukush mountain in the seventh century. To fill this nearly three centuries blank of time and to cover the distance between northern and southeastern areas of Afghanistan, the words *hedaluozhi/gedaluozhi* in Tang Annals and *xaralāča* in the legends of *Nezak Šāh* coins are examined and considered to be Indianized forms of Xalaj, which means that Xalaj had established their kingdoms in the areas above mentioned and maintained them until they were conquered by the Šaffārids in ninth century.

Afghanistan, History, Turk, Hephthalite, Islam

From Sutra on Yulanpen to Mulian-bianwen, the Relationship between the Lecture of Buddhist Canon and Storytelling II

Ichiro KOMINAMI

There are many works which are related to oral literature in the Dunhuang manuscripts. In this article, I intend to analyze the literary works that are based on the ceremonial lecture of Buddhist texts in the Dunhuang manuscripts.

Mulian 目連 is one of the most distinguished disciples of Buddha. The famous story of Mulian's rescue of his mother, who suffered in the hell, first emerged in the Sutra of Yulanpen 盂蘭盆經. This sutra has no Indian original text, it may be inferred to be written in China.

From the Wei-jin-Nanbeizhao to the Sui-Tang period, the ceremonial lectures of Buddhist texts were very popular in China, and based on this ceremony there were produced many notation books which were called Yishu 義疏. It may be inferred that the Jiang-jing-wen 講經文 in the Dunhuang manuscripts also derive from the popular lectures of Buddhist canon. Bianwen 變文 had common elements jointly with Jiang-jing-wen, but it introduced new elements derived from picture telling literature originated in the West. Mulian's story temporary fixed its form in Mulian-bianwen 目連變文.